

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF  
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office DEC 31 2001

Returned to applicant for correction JAN 18 2002

Corrected application filed JUL 15 2003

Map filed FEB 27 1992 under 57248

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The applicant **Douglas County**, hereby makes application for permission to change the **Place of Use** of water heretofore appropriated under Permit 57328.

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1. The source of water is **Sierra Canyon Creek**
2. The amount of water to be changed **1.11 cfs (280.0 afa / 91.241 mga)**
3. The water to be used for **Quasi-Municipal (No Change)**
4. The water heretofore permitted for **Quasi-Municipal**
5. The water is to be diverted at the following point **(No Change)**
6. The existing permitted point of diversion is located within **The Northeast ¼ of the Southwest ¼ of Section 3, Township 13 North, Range 19 East, or at a point from which the Southwest corner of Section 3 bears S 50°40'00" W, a distance of 2934.00 feet. See also map on file with State DWR filed under permit 57248. (Genoa Lakes Well #2.)**
7. Proposed place of use **See attached Exhibit "A." See also map on file with State DWR filed under permit 63860.**
8. Existing place of use **See attached Exhibit "A." See also map on file with State DWR filed under permit 57248.**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works
12. Estimated cost of works **Approximately \$1,700,000**
13. Estimated time required to construct works **Completed: A drilled infiltration well, 500,000 gallon storage tank and water lines of various sizes necessary to provide potable water and fire protection for the development.**
14. Estimated time required to complete the application of water to beneficial use **3-5 years**
15. Remarks: **At the request of Steve Brown, the Place of Use for water rights permits 57327 and 57328 is being expanded to take in the entire Genoa Water System service area.**

By **s/Carl Ruschmeyer  
Carl Ruschmeyer  
PO Box 218  
Minden, Nevada 89423**

Compared cmf/cac dl/sam

Protested \_\_\_\_\_

68338

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of the waters of Sierra Canyon Creek as heretofore granted under Permit 57328, which changed the point of diversion, place of use and manner of use of a portion of the waters of Sierra Canyon Creek, as heretofore granted under district court decree, Case No. 1081, **Sierra Canyon Creek**, and affirmed by the Supreme Court of the State of Nevada (Jones v. Adams, 17 Nev. 85) is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights or the source will be affected by the change proposed herein.

A suitable metering device shall be installed at the diversion structure returning water back to the stream channel for infiltration. The design and installation of the meter must be submitted for approval of the State Engineer. The meter readings of the water being released for infiltration, the amount of water recorded at the lower weir (Foothill Road) and the amount of water pumped from the infiltration wells shall be reported to the State Engineer on a monthly basis within 10 days from the end of the month.

The amount of water to be recovered from the infiltration wells under this permit and Permit 68337 shall not exceed 280 acre-feet annually. The actual amount of water pumped shall not exceed the amount of water reported as being infiltrated. The amount of water pumped in any given month shall not exceed the amount of water infiltrated the previous month.

The total combined duty of Permits 68337, 68338 and 68792 shall not exceed 280 acre-feet annually.

The total combined duty of water under Permits 42384, Certificate 14208; 42385, Certificate 14209; 52731, Certificate 14213; 63860, 64095, 66342, 68337, 68338, 68792, 68793, 68794, 68795, 68796 and 68797 shall not exceed 398.07 acre-feet annually.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.11 cubic feet per second, but not to exceed 280 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

January 28, 2005

Proof of completion of work shall be filed on or before:

February 28, 2005

Water must be placed to beneficial use on or before:

January 28, 2009

Proof of the application of water to beneficial use shall be filed on or before:

February 28, 2009

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 28th day of January, A.D. 2004

  
State Engineer

Completion of work filed MAR 30 2005  
Proof of beneficial use filed \_\_\_\_\_  
Cultural map filed N/A  
Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_



**EXHIBIT "A"**

Permits 57327, 57328

**Proposed Place of Use:** The Northwest 1/4 of Section 1, the North 1/2 of Section 2, the Southwest 1/4 of Section 2, a portion of the Northwest 1/4 of the Southeast 1/4 of Section 2, the East 1/2 of Section 3, a portion of the Northwest 1/4 of Section 3, a portion of the Southwest 1/4 of Section 3, a portion of the East 1/2 of the Northeast 1/4 of Section 4, a portion of the Southeast 1/4 of Section 4, a portion of the Northeast 1/4 of Section 9, a portion of the Southeast 1/4 of Section 9, the Northwest 1/4 of Section 10, a portion of the Northeast 1/4 of Section 10, a portion of the Southwest 1/4 of Section 10, a portion of the Northwest 1/4 of the Southeast 1/4 of Section 10, the Southwest 1/4 of the Southeast 1/4 of Section 15, a portion of the Northeast 1/4 of the Northeast 1/4 of Section 16, the Northwest 1/4 of the Northeast 1/4 of Section 22, all within Township 13 North, Range 19 East, M.D.B. & M. The Southeast 1/4 of Section 22, a portion of the Southwest 1/4 of Section 25, all of Section 26, the Northeast 1/4 of Section 27, a portion of the Northwest 1/4 of Section 27, the South 1/2 of Section 27, the Northeast 1/4 of the Southeast 1/4 of Section 28, a portion of the Northwest 1/4 of Section 34, the Northeast 1/4 of Section 34, a portion of the Southeast 1/4 of Section 34, a portion of the Southeast 1/4 of the Southwest 1/4 of Section 34, all of Section 35, all within Township 14 North, Range 19 East, M.D.B. & M.

**Existing Place of Use:** ~~A portion of the Southwest 1/4 of the Northwest 1/4 of Section 2, a portion of the Northwest 1/4 of the Southwest 1/4 of Section 2, a portion of the Northwest 1/4 of the Northeast 1/4 of Section 3, a portion of the Southwest 1/4 of the Northeast 1/4 of Section 3, a portion of the Southeast 1/4 of the Northeast 1/4 of Section 3, a portion of the Northwest 1/4 of the Southwest 1/4 of Section 3, a portion of the Northeast 1/4 of the Southwest 1/4 of Section 3, a portion of the Northwest 1/4 of the Southeast 1/4 of Section 3, a portion of the Northeast 1/4 of the Southeast 1/4 of Section 3, the Southwest 1/4 of the Southeast 1/4 of Section 3, a portion of the Southeast 1/4 of the Southeast 1/4 of Section 3, the Southeast 1/4 of the Southwest 1/4 of Section 3, a portion of the Southwest 1/4 of the Southwest 1/4 of Section 3, a portion of the Northwest 1/4 of the Northwest 1/4 of Section 10, a portion of the Northeast 1/4 of the Northwest 1/4 of Section 10, a portion of the Northwest 1/4 of the Northeast 1/4 of Section 10, a portion of the Northeast 1/4 of the Northeast 1/4 of Section 10, a portion of the Southeast 1/4 of the Northeast 1/4 of Section 10, a portion of the Southwest 1/4 of the Northeast 1/4 of Section 10, all within Township 13 North, Range 19 East, M.D.B. & M.~~

